Berrigan Case

Post 5-2-71

HARRISBIRG, Pa.—Antiwar priest Phillip F. Berrigan returned to the courtroom to watch his attorneys begin a fight for his acquittal on charges of smuggling letters out of prison.

Berrigan, 48, has been locked up in a county jail here since a federal jury convicted him and Sister Elizabeth McAlister, a New York City nun, last March of illegally exchanging letters while he was imprisoned at the federal penitentiary at Lewisburg, Pa., during 1970.

But the jury was hung on the most important charge —that Berrigan masterminded a plot among Roman Catholic antiwar activists to kidnap presidential adviser Henry Kissinger, blow up underground heating tunnels in Washington, D.C., and raid draft board offices.

As part of its strategy to overturn the convictions, the defense suppoenaed records from FBI Director J. Edgar Hoover, Acting Attorney General Richard Kleindienst and Norman Carlson, director of the Bureau of Prisons.

This hearing was scheduled by Trial Judge R. Dixon Herman to hear the government's opposition to those subpoenas. It was a prelude to the first round of formal post-trial hearings set to begin today.